

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 2-8 and 20-28 are pending in the present application. Claims 2-4, 20-22, and 24 are amended, Claims 25-28 are added, and Claims 17-19 are canceled without prejudice by the present amendment.

In the outstanding Office Action, Claims 2, 7, and 20-24 were rejected under 35 U.S.C. § 103(a) as unpatentable over Tanaka (U.S. Patent No. 5,808,973) in view of Ito et al. (U.S. Patent No. 6,304,527 B1, herein "Ito"); Claims 3, 4, and 8 were rejected under 35 U.S.C. § 103(a) as unpatentable over Tanaka in view of Ito and Kobayashi et al. (U.S. Patent No. 4,840,922, herein "Kobayashi"); Claims 5 and 6 were rejected under 35 U.S.C. § 103(a) as unpatentable over Tanaka in view of Ito and Hatakoshi et al. ("Polarization Dependence Analysis of Optical Loss in Small-Aperture Metal Waveguide for Near-Field Optics," International Symposium on Optical Memory 2000, herein "Hatakoshi"); Claims 6 and 8 were rejected under 35 U.S.C. § 103(a) as unpatentable over Tanaka in view of Ito and Mononobe et al. (WO98/10296, herein "Mononobe"); and Claim 5 was rejected under 35 U.S.C. § 103(a) as unpatentable over Tanaka in view of Ito and Kann et al. ("Heating mechanisms in a near-field optical system," Applied Optics, Vol. 36, No. 24, herein "Kann").

Regarding the rejection of Claims 2, 7, and 20-24 under 35 U.S.C. § 103(a) as unpatentable over Tanaka and Ito, independent Claims 2 and 21 have been amended to recite "an optical light collecting unit configured to converge the light emitted from a light emitting face of the laser device and to direct the converged light into the aperture" and "the optical light collecting unit shifting a peak of a distribution of a light intensity of the converged light to the magnetic pole." The claim amendments find support in the specification at page 35,

lines 3-8, at page 39, lines 3-14, and at page 41, line 31, to page 42, line 23. No new matter is believed to be added.

Briefly recapitulating, independent Claim 2 is directed to a thermally-assisted magnetic recording head that includes, *inter alia*, an optical light collecting unit configured to converge light emitted from a light emitting face of a laser device and to direct the converged light into an aperture of a light absorbing film. The optical light collecting unit shifts a peak of a distribution of a light intensity of the converged light to a magnetic pole. Independent Claim 21 has been amended similar to Claim 2.

In a non-limiting example, Figure 22 shows the optical light collecting unit 39 and the aperture 36 of the light absorbing film.

Both Tanaka and Ito have been discussed in detail in the previously filed amendment and neither Tanaka nor Ito teaches or suggests an optical light collecting unit that converges light emitted from a light emitting face of a laser to an aperture of a light absorbing film, and the collecting unit shifting a peak of a distribution of a light intensity to a magnetic pole as required by amended Claims 2 and 21.

Accordingly, it is respectfully submitted that independent Claims 2 and 21 and each of the claims depending therefrom patentably distinguish over Tanaka and Ito, either alone or in combination.

Regarding the rejection of Claims 3, 4, and 8 under 35 U.S.C. § 103(a) as unpatentable over Tanaka, Ito, and Kobayashi, Applicants respectfully traverse this rejection for the following reasons.

The outstanding Office Action relies on Kobayashi for teaching a dielectric arrangement in a laser aperture system. However, Kobayashi does not overcome the deficiencies of Tanaka and Ito discussed above. In addition, Claims 3, 4, and 8 depend

directly or indirectly from independent Claim 2, which is believed to be allowable as noted above.

Accordingly, it is respectfully submitted that dependent Claims 3, 4, and 8 are also allowable.

Regarding the rejection of Claims 5 and 6 under 35 U.S.C. § 103(a) as unpatentable over Tanaka, Ito, and Hatakoshi, Applicants respectfully traverse this rejection for the following reasons.

The outstanding Office Action relies on Hatakoshi for teaching particular width requirements and a mode of operation of a laser. However, Hatakoshi does not overcome the deficiencies of Tanaka and Ito discussed above. In addition, Claims 5 and 6 depend from independent Claim 2, which is believed to be allowable as noted above.

Accordingly, it is respectfully submitted that dependent Claims 5 and 6 are also allowable.

Regarding the rejection of Claims 6 and 8 under 35 U.S.C. § 103(a) as unpatentable over Tanaka, Ito, and Mononobe, Applicants respectfully traverse this rejection for the following reasons.

The outstanding Office Action relies on Mononobe for teaching an aperture filled with a dielectric material. However, Mononobe does not overcome the deficiencies of Tanaka and Ito discussed above. In addition, Claims 6 and 8 depend from independent Claim 2, which is believed to be allowable as noted above.

Accordingly, it is respectfully submitted that dependent Claims 6 and 8 are also allowable.

Regarding the rejection of Claim 5 under 35 U.S.C. § 103(a) as unpatentable over Tanaka, Ito, and Kann, Applicants respectfully traverse this rejection for the following reasons.

The outstanding Office Action relies on Kann for teaching differences between an absorption loss in the transversal electric and traversal magnetic modes of operation of a laser. However, Kann does not overcome the deficiencies of Tanaka and Ito discussed above. In addition, Claim 5 depends from independent Claim 2, which is believed to be allowable as noted above.

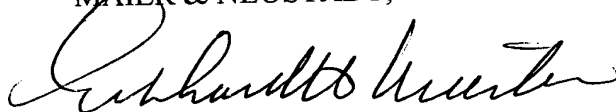
Accordingly, it is respectfully submitted that dependent Claim 5 is also allowable.

New Claims 25-28 have been added to set forth the invention in a varying scope and Applicants submit the new claims are supported by the originally filed specification. More specifically, Claims 25-28 depend from independent Claims 2 and 21 and find support in the specification at page 35, lines 3-8, at page 39, lines 3-14, and at page 41, line 31 to page 42, line 23. No new matter has been added. Accordingly, it is respectfully submitted that new Claims 25-28 are allowable for similar reasons as discussed above.

Consequently, in view of the above discussion and in light of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAYER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

EHK:RFF\ys

I:\ATTY\RFF\205\202594\202594-FINAL-DEC23.DOC